

**REMARKS**

In the present Amendment, claims 7, 13, 18, 25 and 42 have been canceled.

Claims 8, 14, 19, 26 and 43 have been amended consistent with the amendment canceling claims 7, 13, 18, 25 and 42.

No new matter has been added and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, claims 1-6, 8-12, 14-17, 19-24, 26-41 and 43 will be pending.

In Paragraph No. 4 of the Action, claims 7, 13, 18, 25 and 42 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Applicants submit that this rejection is moot in view of the cancellation of claims 7, 13, 18, 25 and 42.

In Paragraph No. 5 of the Action, claims 1-43 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Miyakawa et al (6,875,550) in view of Hollenbaugh et al (6,291,121) and Winnik et al (5,202,209).

Applicants submit that this rejection should be withdrawn because Miyakawa et al '550 is not prior art for purposes of section 103 with respect to the present application.

Miyakawa et al '550 is disqualified as prior art for purposes of section 103 because it is prior art solely under §102(e) and it was commonly owned with the present application at the time the present invention was made. See 35 U.S.C. §103(c).

**Statement of Common Ownership**

The present application and Miyakawa et al U. S. Patent No. 6,875,550 were, at the time the invention of the present application was made, commonly owned by Seiko Epson Corporation.

In view of this statement of common ownership, removing Miyakawa et al '550 as prior art for purposes of section 103, Applicants respectfully submit that the section 103(a) rejection of claims 1-43 based on Miyakawa et al '550 in view of Hollenbaugh et al '121 and Winnik et al '209 should be reconsidered and withdrawn.

With regard to the prior publication of Miyakawa et al '550, Miyakawa et al was published as U.S. Patent Appln. Pub. US 2003/0157419 A1 on August 21, 2003. This publication is prior art under 35 U.S.C. §102(a). Since the publication date of August 21, 2003 is later in time than all of Applicants' priority dates, Applicants submit herewith sworn English translation of their priority documents to remove Miyakawa et al US 2003/0157419 as prior art.

Section 112 support for the present claims in the priority documents is as shown in the following chart:

Amendment Under 37 C.F.R §1.111  
US Appln: 10/758,091



Claim	JP 2003-009905	JP 2003-028678	JP 2003-028679	JP 2003-029571	JP 2003-038280
1	Claim 1				
2	Claim 2				
3	Claim 3				
4	Claim 4				
5	Claim 5				
6	Claim 6				
8	Claim 8				
9		Claim 1			
10		Claim 2			
11		Claim 3			
12		Claim 4			
14		Claim 6			
15			Claim 1		
16			Claim 2		
17			[0074]		
19			Claim 5		
20				Claim 1	
21				Claim 2	
22				Claim 3	
23				Claim 4	
24				Claim 5	
26				Claim 7	
27					Claim 1
28					Claim 2
29					Claim 3
30					Claim 4
31					Claim 5
32					Claim 6
33					Claim 7
34					Claim 8
35					Claim 9
36					Claim 10
37					Claim 11
38					Claim 12
39					Claim 13
40					Claim 14
41					Claim 15
43					Claim 17

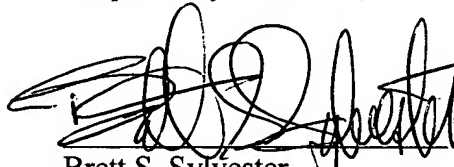
Amendment Under 37 C.F.R §1.111  
US Appln: 10/758,091

In view of the above, Applicants submit that the prior publication of Miyakawa et al '550 (that is, U.S. Patent Appln. Pub. US 2003/0157419 A1) is not prior art with respect to the present application.

Allowance is respectfully requested.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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**23373**

CUSTOMER NUMBER

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